

This order is SIGNED.

Dated: June 2, 2016

William J. Thurman

**WILLIAM T. THURMAN
U.S. Bankruptcy Judge**



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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re:

DONALD JOSEPH LARKIN,

Bankruptcy No. 14-20290
(Chapter 7)

Debtor.

TELEGRAPH TOWER, LLC, et al.,

**ORDER AND JUDGMENT RE
NONDISCHARGEABLE DEBTS**

Plaintiffs,

Adv. Pro. No. 14-02103

vs.

Judge William T. Thurman

DONALD JOSEPH LARKIN, et al.,

Defendants.

This matter came on regularly for trial on February 4 and 5, March 3 and 4, and May 6, 2016, before the above-entitled Court, the Honorable William T. Thurman, United States Bankruptcy Judge, presiding. Bryce D. Panzer of Blackburn & Stoll, LC, represented the Plaintiffs Telegraph Tower, LLC, and Jared Christiansen. Defendants Donald Joseph Larkin and Stephen Max Larkin represented themselves *pro se*. The Court having made and entered its Findings of Fact and Conclusions of Law, and good cause appearing, it is hereby.

ORDERED, ADJUDGED AND DECREED that Plaintiffs Telegraph Tower, LLC, and Jared Christiansen are granted judgment against Defendants Donald Joseph Larkin and Stephen Max Larkin (the “Larkins”) as follows:

1. Telegraph Tower, LLC, and Jared Christiansen are awarded judgment against the Donald Joseph Larkin and Stephen Max Larkin, jointly and severally, for the following damages, which are nondischargeable debts and are excepted from Defendants’ discharge pursuant to 11 U.S.C. §523(a)(2)(A):

A. Telegraph Tower, LLC, and Jared Christiansen are awarded general damages in the sum of \$619,606.16, plus accrued interest of \$330,682.96 (as of May 27, 2016), for a total of \$950,289.12.

B. Telegraph Tower, LLC, is further awarded special damages in the sum of \$110,857.07, plus accrued interest of \$30,179.75 (as of May 27, 2016), for a total of \$141,036.82.

C. The foregoing sums shall bear interest from and after the date of entry hereof at the federal post-judgment rate as provided by 28 U.S.C. § 1961.

2. Jared Christiansen, as assignee of the claims previously held by L. Warren Cox and Trina Kay Cox, Trustees of the L. Warren Cox Living Trust dated August 8, 1997, is further awarded judgment against Donald Joseph Larkin and Stephen Max Larkin, jointly and severally, for the sum of \$100,000.00, plus accrued interest of \$58,410.96 (as of May 27, 2016), for a total of \$158,410.96, which are nondischargeable debts and are excepted from Defendants' discharge pursuant to 11 U.S.C. §§523(a)(2)(A) and (a)(4). The foregoing sum shall bear interest from and after the date of entry hereof at the federal post-judgment rate as provided by 28 U.S.C. § 1961.

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of June, 2016, I caused to be served the foregoing [proposed] **ORDER AND JUDGMENT RE NONDISCHARGEABLE DEBTS** on the following in the manners indicated below:

Donald Joseph Larkin - via email to dlarkin@awinets.com

Stephen Max Larkin - via email to slarkin627@yahoo.com

and via United States First Class Mail, postage prepaid, to

Donald Joseph Larkin
575 East 700 South
Saint George, UT 84770

Stephen Max Larkin
627 East 160 South
Saint George, UT 84770

/s/ Bryce D. Panzer